

EXHIBIT “B”



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WASHINGTON, D.C.

SEAN A. GORDON

Direct Dial: (404) 407-3678

Email: Sean.Gordon@thompsonhine.com

February 19, 2021

VIA FACSIMILE AND REGISTERED AIRMAIL

Automatic Ice Maker Company
400 South Avenue, Suite 6
Middlesex, New Jersey 08846
Attn: Jordan Singer, Pres.
Fax: 732-469-3110

**Re: NOTICE OF DELINQUENCY, BREACH OF DISTRIBUTOR AGREEMENT,
DEMAND FOR PAYMENT, AND INTENT TO REPURCHASE PRODUCTS**

Dear Mr. Singer:

The undersigned and this law firm represent Hoshizaki America, Inc. ("Hoshizaki America") and Hoshizaki Northeastern Distribution Center, Inc. ("Distribution Center", and together with Hoshizaki America, collectively, "Hoshizaki"). Reference is made to that certain 2019 Distributor Agreement, dated as of January 1, 2019, by and between Hoshizaki America and Distribution Center, on the one hand, and Automatic Ice Maker Company ("AIM"), on the other hand (as amended, restated, and/or modified, the "Agreement"). Capitalized but undefined terms used herein shall have the meanings ascribed to them under the Agreement.

Pursuant to Section 15.2(a) of the Agreement, Hoshizaki hereby notifies AIM that AIM is in material breach of and has failed to perform its obligations under the Agreement. Specifically, AIM's breach includes, but is not limited to, its failure to make payment as and when due for certain Products sold and delivered, as required under Section 4 of the Agreement. Hoshizaki hereby demands that AIM immediately pay all amounts past due and owing under the Agreement within ten (10) days of AIM's receipt of this letter, which as of the date of this letter total not less than **\$1,701,333.45** on account of outstanding invoices from May 2020 to the present, plus all applicable late charge fees and attorneys' fees as provided for under Sections 4.3 and 4.4 of the Agreement. Please contact the undersigned counsel for an up to date balance of the amount outstanding.

Payment may be made by wire transfer in accordance with the following wire transfer instructions:



February 19, 2021

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Account Name: Hoshizaki America, Inc.

Bank Name: Bank of Tokyo

Address: 133 Peachtree St. NE, Suite 345
Atlanta, GA 30303-1808

Phone: (404) 222-4204

Routing #: 026009632

Bank Account #: 210006137

Swift Code: BOTKUS33

Moreover, pursuant to Section 15 of the Agreement, Hoshizaki hereby notifies AIM that if it fails to cure the aforementioned material breach of the Agreement and delinquency on or before March 1, 2021, then Hoshizaki shall terminate the Agreement effective as of March 2, 2021.

Further, upon termination of the Agreement, please be advised that Hoshizaki may elect to exercise its rights under Section 18 of the Agreement to repurchase any and all new, undamaged, and saleable Products and Parts then unsold and subject to repurchase thereunder. The repurchase price for any such Products and/or Parts shall be calculated consistent with Section 18 of the Agreement, and shall be credited toward the aforementioned balance outstanding. Please be advised further that consistent with Section 18.2 of the Agreement, and within thirty (30) days after termination of the Agreement, AIM must furnish Hoshizaki on forms supplied by Hoshizaki a detailed inventory of all items of the Products and Parts which Hoshizaki may elect to repurchase.

This notice is without prejudice to any of Hoshizaki's rights, powers, privileges, remedies, and defenses, now existing or hereafter arising, all of which are hereby expressly reserved. AIM is advised that this law firm is attempting to collect the debt described herein and any information obtained will be used for that purpose. All future communication regarding this matter should be directed to the undersigned.



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Respectfully,

THOMPSON HINE LLP

A handwritten signature in blue ink, appearing to read "S. A. Gordon", with a large, stylized "S" and "A" and a smaller "Gordon" at the end.

Sean A. Gordon

cc: Hoshizaki America, Inc.
Hoshizaki Northeastern Distribution Center, Inc.
J. Timothy McDonald, Esq.
Austin Alexander, Esq.

**THIS LAW FIRM IS ATTEMPTING TO COLLECT A DEBT, AND ANY
INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE**



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FAX COVER PAGE

PAGES 4 including cover

DATE February 19, 2021

FROM Sean A. Gordon
Phone: 404.407.3678
Fax: 404.541.2905
Sean.Gordon@ThompsonHine.com

TO: Jordan Singer, Pres.
Automatic Ice Maker Company

FAX: 732-469-3110
PHONE:

PROBLEMS WITH TRANSMISSION? CALL MAILROOM

PHONE 404-541-2973

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THOMPSON HINE LLP
ATTORNEYS AT LAW

Two Alliance Center
3560 Lenox Road NE, Suite 1600
Atlanta, Georgia 30326-4266

www.ThompsonHine.com
O: 404.541.2900
F: 404.541.2905

TRANSMISSION VERIFICATION REPORT

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400 SOUTH AVE SUITE 6	3520 LENOX RD
	SUITE 1600
	ATLANTA GA 30326-4260
	AUTOMATIC TELE MARKER CO
	JORDAN SIMON

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MARKER CO.
SUITE 6

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08846

THOMPSON HINE, LLP

3900 Key Center, 127 Public Square, Cleveland, Ohio 44114-1291

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